

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

HERIBERTO ORTIZ-MERCADO

Defendant

CRIMINAL 15-0443CCC

ORDER

Having considered the Report and Recommendation filed on July 18, 2016 (**d.e. 36**) on a Rule 11 proceeding of defendant Heriberto Ortiz-Mercado before U.S. Magistrate-Judge Bruce J. McGiverin on July 7, 2016, to which no objection has been filed, the same is APPROVED. Accordingly, the plea of guilty of defendant is accepted. The Court FINDS that his plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contains all elements of the offense charged in the indictment.

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since July 7, 2016. The **sentencing hearing is set for October 7, 2016 at 4:00 PM**.

The U.S. Probation Officer is reminded that, should any objections be raised by defendant to the PreSentence Report, the Addendum to said PreSentence Report must specifically identify any unresolved objections, the grounds for the objections, and the U.S. Probation Officer's comments on them, as required by Fed. R. Crim. P. 32(g). The party that raised the unresolved objections shall, **within twenty-four (24) hours** after the Addendum is disclosed, state in writing whether it will insist that the unresolved

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objections be ruled upon by the Court. Failure to do so will be deemed by the Court as a withdrawal of the unresolved objections.

SO ORDERED.

At San Juan, Puerto Rico, on August 16, 2016.

S/CARMEN CONSUELO CEREZO
United States District Judge